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Criminal Original Petition No.19722 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.19722 of 2023

and

CrI.M.P.No.13325 of 2023

1.A.Sekar

S/o.Late Appaai

2.S.Prabu

S/o.A.Sekar

3.A.Selvam

S/o.Late Appaai

4.S.Azhakiri

S/o.Selvam

...Petitioners

Vs

1.State represented by

The Inspector of Police,

Desur Police Station,

Thiruvannamalai District.

Crime No.46 of 2023

2.Sangeetha

W/o.Laxman Vioth Kumar

... Respondents



Criminal Original Petition No.19722 of 2023

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records relating to the case in Crime No.46 of 2023 on the file of first respondent police and quash the same.

For Petitioners : Mr.V.R.Appaswamee

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No. 46 of 2023 on the file of first respondent.

2. Heard Mr.V.R.Appaswamee, learned counsel for petitioners and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The contentions put forward by learned counsel appearing on behalf of petitioners are purely factual in nature and this Court cannot venture into conducting a mini investigation into the matter and it therefore does not fall within the ambit of its jurisdiction under Section 482 Cr.P.C.



Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.

4. In the facts and circumstances of the case, this Court is not inclined to interfere with the investigation conducted by the respondent Police at this stage.

5. Learned Additional Public Prosecutor submitted that investigation was conducted in Crime Nos.45 and 46 of 2023 and the same was completed and the draft final report is also ready to be filed before the concerned jurisdictional Magistrate. A copy of the same has also been produced before this Court. This is yet another reason as to why this Court does not want to interfere with the First Information Report at this stage.

In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file a final report or a closure report, as the case may be, within a period of four (4) weeks from

N.ANAND VENKATESH, J



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the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

30.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

1.The Inspector of Police,
Desur Police Station,
Thiruvannamalai District.
Crime No.46 of 2023

2.The Public Prosecutor,
High Court, Madras.

Criminal Original Petition No.19722 of 2023